

HOUSE BILL 2096
By Pinion

AN ACT to amend Tennessee Code Annotated, Title 40,
Chapter 11, relative to bail bonds.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 40-11-118(a), is amended by adding the following language at the end of the subsection:

The magistrate may, in the magistrate's discretion, authorize a cash deposit of not less than ten percent (10%) of the amount of the bail.

SECTION 2. Tennessee Code Annotated, Section 40-11-121, is amended by deleting the section in its entirety and by substituting instead the following:

If a judgment for fine, court costs, restitution, and the collection of delinquent child support in a child support proceeding, or any one of such judgments, is entered in the prosecution of a cause in which a cash deposit has been made by the defendant or someone on the defendant's behalf, the deposit shall be applied to the payment of the judgment.

SECTION 3. Tennessee Code Annotated, Section 40-11-122, is amended by deleting the first sentence of the section in its entirety and by substituting instead the following:

In lieu of the bail deposit provided for in § 40-11-118, any defendant for whom bail has been set may execute a bail bond which may be secured as provided in this section or, in the discretion of the committing magistrate, the judge of the circuit or criminal court, or the clerk of the circuit or criminal court, may deposit with the clerk of the court before which the proceeding is pending a sum of money in cash equal to not less than ten percent (10%) of the amount of the bail.

SECTION 4. This act shall take effect July 1, 2005, the public welfare requiring it.